

**APPROVED MINUTES\***  
**SUNNYVALE CITY COUNCIL**  
**TUESDAY, MARCH 9, 2010**

**7 P.M. COUNCIL MEETING**

**CALL TO ORDER** - Mayor Hamilton called the meeting to order in the Council Chambers.

**SALUTE TO THE FLAG**

**ROLL CALL**

**PRESENT:**

Mayor Melinda Hamilton  
Vice Mayor Christopher Moylan  
Councilmember Otto Lee  
Councilmember Ron Swegles  
Councilmember Anthony (Tony) Spitaleri  
Councilmember David Whittum  
Councilmember Jim Griffith

**ABSENT:**

None

**STAFF PRESENT:**

City Manager Gary Luebbers  
Assistant City Manager Robert Walker  
City Attorney David Kahn  
Director of Finance Mary Bradley  
Director of Community Development Hanson Hom  
Director of Public Safety Don Johnson  
Director of Public Works Marvin Rose  
City Clerk Kathleen Franco Simmons  
Finance Manager Grace Leung

**CLOSED SESSION REPORT FOR MARCH 9, 2010**

Closed Session pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator

Vice Mayor Moylan reported a closed session was held; no direction was given and no action was taken.

**SPECIAL ORDER OF THE DAY** – City Clerk Kathleen Franco Simmons administered the Oath of Office to newly appointed board and commission members.

**SPECIAL ORDER OF THE DAY** – Mayor Hamilton presented a Resolution Supporting the Children's Bill of Rights.

## **PUBLIC ANNOUNCEMENTS**

Vice Mayor Moylan announced the summer recruitment for board and commission members and an upcoming application deadline.

Vice Mayor Moylan announced Google's plan to build an ultra-high-speed Internet service.

Richard Kolber announced District Three Santa Clara County Supervisor Dave Cortese will be a guest of the Democratic Club of Sunnyvale.

Councilmember Lee provided information regarding the U.S. Census 2010.

Kirk Stoddard announced a theatre program titled "Angels on Stage" benefiting children with special needs.

Deanna Pursai, founder of "Angels on Stage", thanked Councilmember Swegles for attending a performance and provided information regarding the program.

## **CONSENT CALENDAR**

MOTION: Vice Mayor Moylan moved and Councilmember Swegles seconded the motion to approve the Consent Calendar.

VOTE: 7 - 0

**1.A. Approval of Council Meeting Minutes of February 23, 2010**

**1.B. Approval of Information/Action Items – Council Directions to Staff**

## **Fiscal Items**

**1.C. MOTION List of Claims and Bills Approved for Payment by the City Manager –  
RTC 10-058 List No. 493 and 494**

Staff Recommendation: Review the attached lists of bills.

**1.D. MOTION Continuation of Supplemental Law Enforcement Funding  
RTC 10-064**

Staff Recommendation: Appropriation of the full amount available from SLES into the City's Supplemental Law Enforcement Sub-Fund to assist in funding one Public Safety Officer position in patrol operations.

**1.E. MOTION Approval of Budget Modification No. 24 to Appropriate Department of  
RTC 10-057 Homeland Security Training Funds**

Staff Recommendation: Approve Budget Modification No. 24 to appropriate the SUASI monies for the 2009 Alameda County Urban Shield Exercises.

**1.F RESOLUTION Stevens Creek Trail Planning Grants – Approval of Resolutions of  
RTC 10-059 Support**

Staff Recommendation: Approve the Resolutions of Support for two grant funding opportunities stating the City's understanding of the funding process and authorizing the City Manager to execute contracts and agreements should funding be awarded.

**Contracts**

**1.G. MOTION                      Reject Bids for Vehicle Purchases  
RTC 10-060**

Staff Recommendation: Reject all bids received in response to Invitation for Bids F0912-55, F09061-66 and F0901-69.

**1.H. MOTION                      Award of Contract for an Integrated Security Closed Circuit Television  
RTC 10-061                      (CCTV) System for the Department of Public Safety (F0808-15)**

Staff Recommendation: Award a contract in the amount of \$285,802, including applicable taxes to Johnson Controls, Inc. to provide and install an integrated closed circuit television system; and approve a project contingency in the amount of \$28,580.

**Contracts: Sunnyvale Works!**

**1.I. MOTION                      Award of Sunnyvale Works! Bid No. F0901-73 Pavement Slurry Seal  
RTC 10-066                      and Approval of Budget Modification No. 25**

Staff Recommendation: Award a contract in the amount of \$258,905 to Graham Contractors, Inc. for the subject project, and authorize the city manager to execute the contract when all necessary conditions have been met; approve a 10% project contingency in the amount of \$25,891; and approve Budget Modification No. 25 to provide additional funding for this project.

**Other Items**

**1.J. ORDINANCE                      Adoption of Ordinance No. 2915-10 Awarding Nonexclusive  
2915-10                      Franchise to Jasraj Bhata (fka Bikram Singh), Owner of California  
Cab Company**

Staff Recommendation: Approve second reading of Ordinance No. 2915-10

**1.K. ORDINANCE                      Adoption of Ordinance No. 2916-10 Amending Certain Sections of  
2916-10                      Chapter 16.62 (Prevention of Flood Damage) of Title 16 (Buildings  
and Construction) of the Sunnyvale Municipal Code Relating to  
Floodplains**

Staff Recommendation: Approve second reading of Ordinance No. 2916-10.

**STAFF RESPONSES TO PRIOR PUBLIC COMMENTS**

None.

**PUBLIC COMMENTS**

Arthur Schwartz requested environmental data regarding usage of public transportation around high-density housing.

**PUBLIC HEARINGS/GENERAL BUSINESS**

Mayor Hamilton announced Item 3 would be considered before Item 2.

**2. MOTION            Consider Strategies to Address the Rising Costs of the City's Pension  
RTC 10-066       Plans (Study Issue)**

Finance Manager Grace Leung presented the staff report and a PowerPoint presentation.

Councilmember Swegles confirmed with City Manager Luebbers that the white paper was crafted by the Santa Clara County City Manager's Association and endorsed by the League of California Cities Peninsula Division.

Councilmember Swegles asked how the two-tier balance would effect any promotions that might take place. City Manager Luebbers stated the theory in the two-tier system is that no current employee in the City of Sunnyvale would be affected; only prospective employees.

Councilmember Swegles confirmed with City Manager Luebbers that all unions were advised of the system.

Councilmember Swegles stated issues of this type are typically discussed in a closed session as opposed to a public forum. City Attorney Kahn responded that the discussion is at the general policy level and direction; when the contracts are up in 2012, all discussions will be in closed session.

Finance Manager Leung confirmed for Councilmember Swegles that PERS has a smoothing methodology in place, but a 24.1% decline is too far out of the range to be able to put in the normal smoothing methodology.

City Manager Luebbers stated the budget stabilization fund has been drawn down from \$60 million dollars to the \$10 million range.

Finance Manager Leung confirmed for Councilmember Swegles that in FY 99/00 the employer contribution rate was zero because there were enough assets to cover the benefit costs. During the dot.com bust, there were three consecutive years of negative returns which had never happened in PERS history, and that is when the smoothing methodology was put in.

City Manager Luebbers stated the actuarial tables used to develop the contribution rates apply statewide to any PERS organization.

City Manager Luebbers confirmed for Councilmember Swegles that Council would be a part of the same plan as miscellaneous employees.

Finance Manager Leung responded to questions from Councilmember Lee regarding the unfunded liabilities with CalPERS and the potential savings with the two-tier plan.

City Manager Luebbers commented that it's not only the stock market that has contributed to CalPERS losses; the largest commercial project foreclosure in the history of the United States was in New York last year, and one of the two largest investors in that project was CalPERS.

Councilmember Lee stated one issue not yet discussed is considering leaving CalPERS. Finance Manager Leung responded to questions from Councilmember Lee regarding the contribution rates.

Councilmember Spitaleri confirmed with Finance Manager Leung that if the City were to leave CalPERS, the City would owe CalPERS the amount of unfunded liabilities.

Finance Manager Leung responded to questions from Councilmember Spitaleri about the City payment of the employees' contribution rate. Director of Finance Mary Bradley confirmed for Councilmember Spitaleri that in the early 1990s employees paid a smaller portion of the contribution rate.

Councilmember Spitaleri stated the 11.25% contribution rate is one of the highest contribution rates for public safety in our area. Finance Manager Leung stated the standard employee contribution rate for safety plan is 9%.

Finance Director Bradley addressed Councilmember Spitaleri's comments regarding employee pick up of a portion of the 11.25%, and stated the 11.25% employee portion is fixed and wouldn't increase but could be decreased to 10.25% while the employee would pick up 1%.

Councilmember Spitaleri stated his concerns with the staff report. He stated he supports looking at how to sustain this pension system, but thinks it's critically important that the City not move to take more than it really needs from the employees.

Councilmember Spitaleri stated he would like to see the bargaining units meet before any direction is given because he thinks they could look at other ways of saving money in the City if they had the opportunity to brainstorm and have direct dialogue. Spitaleri stated, although he isn't suggesting it, legislative changes should be explored which might have cost savings such as changing the vesting from five to ten years or consideration of switching from single highest year to three years.

Vice Mayor Moylan stated it is difficult to put together a budget when there are factors which are out of the City's control. Moylan stated private sector employers switched to a guaranteed contribution plan and questioned whether that could be done within CalPERS. Finance Manager Leung confirmed CalPERS only offers defined benefit plans and that the actual retirement age cannot be changed in CalPERS as the basic benefit plans have set retirement ages.

Vice Mayor Moylan described a situation where senior employees reach a stage where they would make the same amount on retirement as they do by working, thereby causing a "brain drain" in retirement of senior employees, and asked what the City could do to avoid that. Finance Manager Leung responded the safety plan is capped at 90% of salary but the miscellaneous plans have no cap, which is another rule that would have to be changed by CalPERS.

Vice Mayor Moylan inquired if every option can be put on the table when going to the bargaining units. City Manager Luebbbers confirmed for Vice Mayor Moylan that approving the resolution does not commit the City to a two-tier program; if Council directs the city manager to meet with the bargaining units there are many options that can be put on the table. City Manager Luebbbers stated the language in the resolution can be modified.

Councilmember Griffith stated he does not think the City should leave CalPERS.

Finance Director Bradley confirmed for Councilmember Griffith that in FY 99/00 there were two years with zero contributions and at that time CalPERS gave the actuarial evaluation that for 20 years a contribution would not need to be made and the money went toward City services and employee salaries, not to the budget stabilization fund.

Councilmember Griffith suggested in future years when the City is not required to make a contribution, to consider creation of a pension stabilization fund. Finance Manager Leung concurred and stated the City has a separate employee benefits fund, but clarified that this would be at least 30 years out.

Councilmember Griffith inquired about potential adjustment of the expected return rate. Finance Manager Leung confirmed that the soonest any kind of interest rate assumption changes would be two years out, and for every one percent change in the investment return, it is probably a 20% increase in contribution rate.

Councilmember Whittum inquired about the potential for savings if employees took over their employee share. Finance Manager Leung responded that it would be approximately \$3.5 million in savings if Safety took the full employee share.

Mayor Hamilton confirmed with Finance Manager Leung that no matter what the stock market does, rates will go up every year for the foreseeable future.

City Manager Luebbers stated that the amount of savings over a 20-year period was calculated by factoring in a certain turnover of employees over that period, and until all current employees have left the City, the full effect would not be realized. Mayor Hamilton expressed concern about the morale gap between employees on different plans.

Mayor Hamilton stated she does not support leaving CalPERS.

Councilmember Spitaleri confirmed with Finance Manager Leung that based on recent CalPERS changes, there will not be a time when the City will not be making a contribution.

Councilmember Spitaleri stated he does not support leaving CalPERS.

Public Hearing opened at 8:37 p.m.

Mike Andrade, Public Safety Officers Association President, spoke on behalf of all Sunnyvale employee organizations.

Councilmember Swegles thanked the employee organizations for their cooperation last year.

Vice Mayor Moylan confirmed with Andrade the unions would have no problem putting a number of options on the table in conversations with the city manager.

Larry Stone, Santa Clara County Assessor, spoke in support of pension reform.

Finance Director Bradley stated the CalPERS system is set up by the California Public Employee Retirement Law and it can be changed legislatively.

Councilmember Spitaleri concurred with Assessor Stone that changes can be made through legislation. Councilmember Spitaleri and Assessor Stone discussed the concept of double-dipping.

Werner Gans complimented staff on their presentation and recommended staff comes up with reasonable alternatives.

Arthur Schwartz stated CalPERS has not invested as well as they could have and asked if there is any way the CalPERS board can be influenced to adopt other policies on their investments to have a more stable income, and to change the rules in regard to the age people retire.

Public hearing closed at 8:58 p.m.

Councilmember Swegles commented regarding an article from the Orange County Registrar regarding City of San Clemente pension issues.

MOTION: Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to direct the city manager to meet with bargaining units to address pension costs and to provide the City with cost saving amendments.

Councilmember Spitaleri stated he thinks it is extremely important that the labor groups and the city manager get together to discuss the issues and develop a list of concerns and possible solutions.

Councilmember Whittum confirmed with Councilmember Spitaleri that in the motion the city manager is empowered to pursue a two-tier retirement plan.

Councilmember Swegles stated the bargaining units have proven they are willing to work with the City, and the bargaining units should have a voice to be sure it is a win-win situation for the City and the unions.

Vice Mayor Moylan confirmed with Councilmember Spitaleri that the motion would include that in the conversations with the bargaining units, the city manager would say how much it will take to make the system sustainable.

Vice Mayor Moylan stated the motion does not address alternative 2, and asked if Councilmember Spitaleri would be amenable to amend the motion to adopt the joint Santa Clara County/Cities Managers' Association and San Mateo County City Managers Association "Policy Statement on Local Government and Retirement Benefits" with the removal of the commitment to the one particular solution that is in it.

Councilmember Spitaleri stated he has concerns with the white paper as it was developed almost a year ago and some of the facts and figures have changed.

Vice Mayor Moylan withdrew his request.

Councilmember Lee stated he supports the motion. Councilmember Lee stated he has nothing personally against CalPERS and has learned that leaving CalPERS is not an option due to the liabilities the City has.

Councilmember Whittum confirmed that the motion includes Alternative 1 and other options and asked when Council will find out the results of the discussions. City Manager Luebbbers stated he will keep Council advised as the meetings progress.

Councilmember Griffith stated he supports the motion to meet with the bargaining units to look at options as this will allow them the opportunity to identify their priorities among the options presented. He stated he was encouraged to see the bargaining units speaking with one voice, and he hopes they will remember that when they speak with the City individually because one of the worst situations the City could be in is when one bargaining unit negotiates at the expense of another.

Councilmember Griffith stated the County Assessor mentioned the possibility of getting legislative changes through to CalPERS in order to get problems solved, but historically there has been resistance from the parent organizations of the employee groups. Griffith strongly recommended the bargaining units go back to their parent organizations with some of the information presented at this meeting.

Mayor Hamilton acknowledged the concessions the employees have made in the past year. Hamilton stated the current system is unsustainable and we can only make our decision using the information we have now. She stated if it is not fixed now, it will be fixed at the ballot box. Hamilton stated she looks forward to hearing the outcomes of the discussions and to working with the bargaining units.

VOTE: 7 - 0

MOTION: Vice Mayor Moylan moved and Councilmember Swegles seconded the motion to adopt the joint Santa Clara County/Cities Managers' Association and San Mateo County City Managers Association "Policy Statement on Local Government and Retirement Benefits" subject to the condition that staff checks all the facts and figures and is convinced they are correct, and removes the commitment to one particular solution.

VOTE: 7 - 0

Vice Mayor Moylan excused himself and left the meeting at 9:18 p.m.

**3. COUNCIL      Discussion and Possible Action Regarding the Sale of Orchard  
DISCUSSION    Gardens Houses**

This item was taken out of order, prior to Item 2.

Mayor Hamilton provided a report.

Public hearing opened at 7:22 p.m.

No speakers.

Public hearing closed at 7:22 p.m.

Vice Mayor Moylan explained that since Council's action last summer, he was made aware of new information: only three parcels are needed to complete the previous Council's goal to expand the park and the City has owned them for 10 years; one of the houses was sold to the City under the intent that his property would be used to expand the park, and if Council chooses not to do that it raises an issue of acting in bad faith. Vice Mayor Moylan stated that since the park is the end of the John W. Christian Greenbelt, having the three parcels as part of the park could create a new amenity with an entryway feature. Vice Mayor Moylan added that based on the new information received, he asked for the action to be reconsidered.



MOTION: Councilmember Griffith moved and Councilmember Spitaleri seconded the motion to revoke authorization to sell the land and hold on to the property as the status quo until Council can look at the budget issues and expanding Orchard Garden Park.

Councilmember Griffith concurred with Vice Mayor Moylan that the park can be expanded and it may alleviate resident concerns about public safety in the area, as the area would be made more visible from the street.

Councilmember Swegles stated he would not support the motion because this is the time to hold onto the property until the value increases.

VOTE: 6 - 1 (Councilmember Swegles dissented)

**4. MOTION                      Council Authorization to Sign the Modification to the Current Joint  
RTC 10-054                  Funding Agreement to Transition to a Joint Powers Authority and to  
                                     Sign the Joint Powers Agreement to Become a Member of the Silicon  
                                     Valley Regional Interoperability Authority (SVRIA)**

Director of Public Safety Don Johnson presented the staff report.

Councilmember Whittum confirmed with Director Johnson that the scope of the project will be limited.

Director Johnson confirmed with Councilmember Swegles that the impact on the Sunnyvale Amateur Radio Network will be positive.

Public hearing opened at 9:25 p.m.

No speakers.

Public hearing closed at 9:25 p.m.

Councilmember Lee moved and Councilmember Spitaleri seconded the motion to authorize the city manager to execute the First Amendment to the Second Amended Santa Clara County Data Communications Network Joint Funding Agreement as well as the Joint Powers Agreement for the Silicon Valley Regional Interoperability Authority with other Santa Clara County cities to update the current scope and authority of the Project.

City Clerk Kathleen Franco Simmons took roll call and announced that all Councilmembers are present except Vice Mayor Moylan.

VOTE: 6 - 0 (Vice Mayor Moylan absent)

**5. MOTION                      2009-0510 - BCI Sites for Clearwire [Applicant] Pacific Gas & Electric  
RTC 10-056                  Co [Owner]: Appeal by the applicant of a decision of the Planning  
                                     Commission denying a Use Permit to allow the installation of three  
                                     panel antennas and three microwave dishes on existing lattice tower  
                                     and cabinets, and denying a Variance application to allow an  
                                     extension to the top of the existing lattice tower (approximately 6'  
                                     extension) for a site located at 602 Weddell Drive (APN: 110-15-019)  
                                     SL**

Community Development Director Hanson Hom presented the staff report.

Director Hom confirmed for Councilmember Whittum that the project furthers the purposes of the General Plan and does not impair someone else's use of their property.

Public Hearing opened at 9:30 p.m.

Gordon Bell, appellant, representative for Clearwire LLC, explained that Clearwire is a subsidiary or affiliate of Sprint Nextel and described 4G technology. Bell stated he hopes staff will consider variance requests in the future.

Councilmember Swegles confirmed that Clearwire LLC is affiliated with Comcast.

Public hearing closed at 9:33 p.m.

Councilmember Griffith moved and Councilmember Spitaleri seconded the motion to grant the appeal and approve the Use Permit with conditions in Attachment B.

Councilmember Griffith stated he supports the staff recommendation but expressed concern regarding the process and suggested it may have gone to the Planning Commission for review first. Councilmember Griffith stated he does not have a problem with that in this particular case, but is concerned it could be a problem in the future.

VOTE: 6 - 0 (Vice Mayor Moylan absent)

**6. MOTION                      Ratification of National League of Cities Policy and Advocacy  
RTC 10-055                  Committee Appointments and IGR Committee Appointment to the  
   Santa Clara County VTA Bicycle and Pedestrian Advisory Committee**

Assistant City Manager Robert Walker provided the staff report.

Mayor Hamilton stated the City's Bicycle and Pedestrian Advisory Commission voted 5-0 to reappoint Dave Simons to Santa Clara County VTA Bicycle and Pedestrian Advisory Committee. Mayor Hamilton reported she has spoken with Dave Simons and he indicated he is interested in being reappointed to that committee.

Public hearing opened at 9:37 p.m.

No speakers.

Public hearing closed at 9:37 p.m.

Councilmember Spitaleri moved and Councilmember Swegles seconded the motion to ratify the appointment of Councilmember Griffith to the National League of Cities Energy, Environment and Natural Resources and the Information Technology and Communication Policy and Advisory Committees, and Councilmember Whittum to the National League of Cities Community and Economic Development Policy and Advocacy Committee, and appoint Dave Simons to the VTA's Bicycle and Pedestrian Advisory Committee.

VOTE: 6 - 0 (Vice Mayor Moylan absent)

## **COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

Councilmember Griffith provided a report regarding a meeting with Silicon Valley Library Systems Advisory Board which included several issues that affect Sunnyvale. He stated due to the shut down of the Library for two-weeks for the retrofit with the RFID and automated sorting system, Mountain View reports they have been besieged and are shut down. Griffith reported City of Santa Clara is moving forward with their new branch Library in the Rivermark area, with a projected opening date of 2012. A number of Sunnyvale's residents will be closer in proximity to the Rivermark location than to the main Library.

Councilmember Swegles reported in his communications with Comcast he was informed they are up to speed and customers can receive up to 100 megabytes of service for a very high-end fee. Swegles provided a document to the city manager to pass on to the Information Technology Department. Councilmember Griffith added that the 50 megabytes per second they quote is only the download speed; typically the upload speed is slower with cable Internet.

Councilmember Swegles provided information from the water committees on which he serves regarding the status of the reservoirs and provided a document to the city manager to share with the Council. He stated that although all the reservoirs are above 100%, everyone is asked not to waste water.

Councilmember Swegles provided a report regarding a meeting of the Council on Aging regarding many different topics of concern to seniors in the Santa Clara - San Mateo area. Swegles stated they are asking that those who haven't filed their income tax to please consider donating to code 402 to help support the senior citizens advisory fund.

## **NON-AGENDA ITEMS & COMMENTS**

- Council

Mayor Hamilton provided information regarding a bowling tournament East Silicon has challenged City Council and staff to participate in, with lanes donated by Brunswick Lanes. Councilmember Swegles suggested the unresolved barbecue date be set for June 8 at a park.

Councilmember Spitaleri stated his concerns regarding the number of dates that no Council meetings are scheduled on the Council calendar. He stated he would rather schedule those dates and cancel them if there are no items to consider. Spitaleri indicated that if those dates are not on the schedule, no items will be scheduled on those dates. He stated in the past four years, some meetings were quick and some were long, and with the upcoming state budget and other issues, more Council meetings may be required. He added he also has a hard time not having a Council meeting when one of the reasons is there might be a special mail ballot election which doesn't affect the Council.

Councilmember Swegles stated his agreement with Councilmember Spitaleri. He provided information about Mountain View which schedules study sessions when they don't have scheduled Council meetings. He suggested on open dates, a study session or closed session could be scheduled to avoid packing meetings from 5:30 to 11:30 p.m. City Manager Luebbers concurred and confirmed staff would put it on the Tentative Council Meeting Agenda Calendar within the next few weeks for review by Council.

Councilmember Hamilton reported a Council meeting has been scheduled for October 5 for consideration of the ballot measures for the November election.

Councilmember Griffith noted there are two dates in May with no meetings scheduled and when the same situation occurred last year, both meetings held were hellish. He recommended avoiding that kind of situation.

Councilmember Griffith stated May 11 is set for consideration of City positions on ballot measures for the June 8 election, and October 5 for the November ballot measures. He stated these dates are the start of mail-in voting and requested Council consider pushing the dates back several weeks.

Mayor Hamilton stated the report indicated those dates were suggested because the ballot information won't be available before then. Assistant City Manager Robert Walker confirmed and stated the non-partisan analyst's office provides Council with additional information regarding the ballot measure. He stated if Council chose, it could take action without the information from the legislative analyst's office non-partisan review.

Councilmember Griffith confirmed with Assistant City Manager Walker that by October 5 voters will be receiving the information in their mailboxes. Councilmember Griffith withdrew his request.

Councilmember Swegles confirmed with City Manager Luebbers a letter of support in regard to the initiative for the League of California Cities would be on the March 23 agenda.

Councilmember Whittum stated it is helpful to have visibility of new dates for the Council's calendars and requested they be provided if or when they are scheduled.

- Staff

*[Note: The following information was provided during the Financing Authority meeting held directly following the Regular Council Meeting and included here as it pertains to the preceding discussion]*

Assistant City Manager Walker provided information regarding Councilmember Swegles' request for action on the Local Taxpayer Public Safety and Transportation Protection Act sponsored by the League. He stated that was confused in earlier response. Walker stated the information that will be provided March 23 relates to the Utility Users Tax ballot measure, while information regarding the other League initiative will be provided October 5. He stated staff will put it on an earlier agenda if Council wants to act on it sooner than October 5.

Councilmember Swegles confirmed with staff the letter of support has been sent to the League of California Cities.

#### **INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar
- RTC 10-063 City-Owned Properties Adjacent to Orchard Gardens Park (Information Only)
- Study Session Summary of February 9, 2010 – Board and Commission Interviews
- Draft Minutes of the Arts Commission Meeting of February 17, 2010
- Draft Bicycle and Pedestrian Advisory Commission Meeting Minutes of February 18, 2010
- Draft Minutes of the Housing and Human Services Commission Meeting of February 24, 2010
- RTC 10-062 Opportunity for Council to appeal decisions of the Planning Commission of February 22, 2010 and the Administrative Hearing of February 24, 2010
- Follow-up to Council Study Issue: Limitations on Signage for Alcohol Sales (RTC 09-281)
- Follow-up to Council Action Allowing Donation Centers in the C-1 Zone (RTC 08-223)

**ADJOURN TO THE FINANCING AUTHORITY**

Mayor Hamilton adjourned to the Financing Authority at 9:52 p.m.

\_\_\_\_\_  
Kathleen Franco Simmons  
City Clerk

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Date